

**INFORMATION DISCLOSURE  
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<b>Application Number</b>	09/645,706
<b>Filing Date</b>	August 24, 2000
<b>First Named Inventor</b>	Wood, Keith
<b>Group Art Unit</b>	1652
<b>Examiner Name</b>	Prouty, Rebecca

Sheet 1 of 5

Attorney Docket No: 341.005US1

US PATENT DOCUMENTS				
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2002/0100076A1	07/25/2002	Garcon, F., et al.	08/02/2001
	US-2006/0068395A1	03/30/2006	Wood, K. V., et al.	09/17/2004
	US-2008/0070299A1	03/20/2008	Wood, K. V., et al.	07/05/2007
	US-2008/0090291A1	04/17/2008	Wood, K. V., et al.	04/12/2007
	US-6,700,038	03/02/2004	Dasgupta, R. K., et al.	03/31/1999
	US-6,878,531	04/12/2005	Sevfang, A.	01/29/2004

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	†*
	WO-97/08320A1	03/06/1997	Knappik, A., et al.	
	WO-01/23541A2	04/05/2001	Fodor, W. L., et al.	
	WO-01/27150A2	04/19/2001	Lukyanov, Sergey A., et al.	
	WO-02/016944A2	02/28/2002	Wood, K. V., et al.	
	WO-2004/025264A2	03/25/2004	Zdanovsky, A., et al.	
	WO-2004/042010A2	05/21/2004	Patterson, S., et al.	
	WO-2006/034061A2	03/30/2006	Wood, K. V., et al.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
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		CloneTech Catalog, (1996/97), 2 pgs.	
		CloneTech document PT2038-5, (© 1998 Clonetech Laboratories, Inc.), 2 pgs.	
		"Aminoglycoside 3'-phosphotransferase mutant [synthetic construct]", GenBank Accession No. AAD50549, (August 1999), 3 pgs.	
		"Application Serial No. 10/314,827 (Atty. Ref. 341.055US1) Advisory Action mailed 10-16-2006", 8 pgs	
		"Application Serial No. 10/314,827 (Atty. Ref. 341.055US1) Amendment Under 37 CFR 1.116 filed 03-29-2007", 12 pgs	
		"Application Serial No. 10/943,508 (Atty Ref. No. 341.034US1) Amendment and Response filed 11-02-2007 to Office Action mailed 08-06-2007", 18 pgs.	
		"Application Serial No. 10/943,508 (Atty. Ref. 341.034US1) Non Final Office Action mailed 02-27-2007", 17 pgs	
		"Application Serial No. 10/943,508 (Atty. Ref. 341.034US1) Non Final Office Action mailed 08-06-2007", 25 pgs	
		"Application Serial No. 10/943,508 (Atty. Ref. 341.034US1) Notice of Allowance mailed 09-29-2008", 9 pgs.	
		"Application Serial No. 10/943,508 (Atty. Ref. 341.034US1) Preliminary Amendment filed 02-02-2005", 4 pgs	

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		"Application Serial No. 10/943,508 (Atty. Ref. 341.034US1) Response filed 05-24-2007 to Non Final Office Action mailed 02-27-2007", 21 pgs	
		"Application Serial No. 10/943,508 (Atty. Ref. No. 341.034US1), Amendment and Response filed 4/17/08 to Final Office Action mailed 1-24-2008", 17 pgs.	
		"Application Serial No. 10/943508 (Atty Ref 341.034US1 ), Final Office Action Mailed 1-24-2008", 25 pgs.	
		"Application Serial No. 11/316,042 (Atty Ref 341.005US2), Non-Final Office Action mailed 06-11-08", 11 pgs.	
		"Application Serial No. 11/316,042 (Atty Ref 341.005US2), Preliminary Amendment filed 12-22-2005", 8 pgs.	
		"Application Serial No. 11/316,042 (Atty Ref 341.005US2), Restriction Requirement mailed 03-18-2008", 5 pgs.	
		"Application Serial No. 11/316,042 (Atty. Ref. No. 341.005US2), Response to Restriction Requirement filed 4/15/08 to Restriction Requirement mailed 3/18/08", 7 pgs.	
		"Application Serial No. 11/786,785 (Atty Ref 341.005US3) Preliminary Amendment filed 04-12-2007", 11 pgs	
		"Application Serial No. 11/825,304 (Atty Ref 341.034US2) Preliminary Amendment filed 07-05-2007", 7 pgs	
		"Australian Patent Application No. 2001285278 (Atty Ref 341.005AU1), Examiner's First Report mailed 10-16-2006", 2 pgs.	
		"Australian Patent Application No. 2003297293 (Atty Ref 341.055AU1), Examiner's Report No. 2 mailed 6-18-2007", 2 pgs.	
		"Australian Patent Application No. 2003297293 (Atty Ref 341.055AU1), Examiner's First Report mailed 10-5-2006", 2 pgs.	
		"Australian Patent Application No. 2003297293 (Atty Ref 341.055AU1), Response filed 5-30-2007 to Examiner's First Report mailed 10-5-2006", 19 pgs.	
		"Australian Patent Application No. 2003297293 (Atty Ref 341.055AU1), Response filed 8-29-07 to Examiner's Report No. 2 mailed 6-18-2007", 27 pgs.	
		"BIOBASE", [online]. [retrieved 2007-7-31]. Retrieved from the Internet: <URL: www.gene-regulation.com/pub/databases/html>.(2007),1 pg.	
		"Cloning vector PGFP-1 green fluorescent protein, complete cds", <u>GenBank Accession No. U19276.1</u> , (July 1995), 4 pgs.	
		"Cloning Vector pGL3 - Control", <u>NCBI Sequence Accession No. U47296</u> , 4 pgs.	
		"Cloning Vector psiSTRIKE Puromycin, Complete Sequence", <u>NCBI Sequence Accession No. AY497507</u> , 3 pgs.	
		"EP Application No. 01964425.1 (Atty Ref 341.005EP1), Communication Pursuant to Article 96(2) EPC mailed 11-23-2006", 13 pgs.	
		"EP Application No. 01964425.1 (Atty Ref 341.005EP1), Communication Pursuant to Article 96(2) EPC mailed 6-27-2005", 12 pgs.	

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Application Number	09/645,706
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First Named Inventor	Wood, Keith
Group Art Unit	1652
Examiner Name	Prouty, Rebecca

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Attorney Docket No: 341.005US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T*
		"EP Application No. 01964425.1 (Atty Ref 341.005EP1), Response filed 4-6-2006 to Communication mailed 6-27-2005", 20 pgs.	
		"EP Application No. 01964425.1, Communication Noting Loss of Rights (R. 69(1) EPC mailed 2-10-2006", 1 pg.	
		"EP Application No. 03819255.5 (Atty Ref 341.055EP1), Communication Pursuant to Article 96(2) EPC mailed 5-18-2007", 5 pgs.	
		"European Application Serial No. 01964425.1 (Atty Ref 341.005EP1), Office Action mailed 6-09-2008", 9 pgs.	
		"International Search Report for corresponding PCT Application No. PCT/US2005/033218", (March 31, 2006), 9 pgs.	
		"Monstarela cavernosa mcavFP 6 mRNA, complete cds", <u>ACCESSION: AY037769</u> (gi: 19982568), (04/05/2001), 2 pgs.	
		"Montastraea cavernosa clone 7.7 green fluorescent protein-like protein mRNA, Complete cds", <u>ACCESSION: AY037768</u> (gi: 21303777), (05/31/2001), 2 pgs.	
		"Montastraea cavernosa green fluorescent protein mRNA, complete cds", <u>ACCESSION: AF406766</u> (gi: 15425964), (09/02/2001), 2 pgs.	
		"Montastraea faveolata green fluorescent protein mRNA, complete cds", <u>ACCESSION: AF401282</u> (gi: 15081471), (08/05/2001), 2 pgs.	
		"Neomycin phosphotransferase", GenBank Accession No. AAA69543, (July 1995), 9 pgs.	
		"Partial International Search Report for corresponding PCT Application No. PCT/US2005/033218", (Attorney Docket No. 341.034WO1), (01/12/06), 1 pg.	
		"PCT Application No. PCT/US03/37117 (Atty Ref 341.055WO1), International Preliminary Examination Report mailed 3-15-2007", 10 pgs.	
		"PCT Application No. PCT/US03/37117 (Atty Ref 341.055WO1), International Search Report mailed 10-31-2005", 5 pgs.	
		"PCT Application No. PCT/US2005/033218 (Atty Ref 341.034WO1), International Preliminary Report on Patentability mailed 3-29-2007", 10 pgs.	
		"Prosecution File History for Application No. 10/314,827 (Atty Ref 341.055US1)", 259 pgs.	
		"Sequence 1 from Patent WO9529245", <u>NCBI Sequence Accession No. A47120</u> , 2 pgs.	
		"Sequence of pcDNA3.1/Hygro", <a href="http://www.invitrogen.com/content/sfs/vectors/pcDNA3.1hygro_seq.txt">http://www.invitrogen.com/content/sfs/vectors/pcDNA3.1hygro_seq.txt</a> , 2 pgs.	
		"Synthetic construct aminoglycoside 3'-phosphotransferase mutant (mNeo) gene, complete cds", GenBank Accession No. AF081957.1, (August 1999),	
		"Japanese Application Serial No. 2005-513754 (Atty Ref 341.055JP1), Final Office Action mailed 05-13-2008", 4 pgs.	
		BRONSTEIN, I., "Chemiluminescent and Bioluminescent Reporter Gene Assays", <i>Analytical Biochemistry</i> 219(2), (June 1994), 169-181	

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Application Number	09/645,706
Filing Date	August 24, 2000
First Named Inventor	Wood, Keith
Group Art Unit	1652
Examiner Name	Prouty, Rebecca

Sheet 4 of 5

Attorney Docket No: 341.005US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

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		CORISH, P., et al., "Attenuation of Green Fluorescent Protein Half-Life In Mammalian Cells", <i>Protein Engineering</i> , 12(12), (Dec. 1999), 1035-1040	
		FRANKLIN, S., et al., "Development of a GFP reporter gene for <i>Chlamydomonas reinhardtii</i> chloroplast", <i>The Plant Journal</i> , 30(6), (June 2002), 733-744	
		GILON, TAMAR, et al., "Degradation signals for ubiquitin system proteolysis in <i>Saccharomyces cerevisiae</i> ", <i>The EMBO Journal</i> , 17 (10), (1998), 2759-2766	
		GROSKREUTZ, D. J., et al., "Cloning Vector pGL3-Basic, Complete sequence", Database EMBL Online, (Accession No. EMBL:U47295), (March 1, 1996), 3 pgs.	
		KAPPEL, C. A., et al., "Regulating Gene Expression in Transgenic Animals", <i>Current Opinion in Biotechnology</i> , 3, (1992), 548-553	
		LABAS, YA., et al., "Diversity and evolution of the green fluorescent protein family", AY037769 - Database Genbank, (2002), 2 pgs.	
		LECLERC, G. M., et al., "Development of a Destabilized Firefly Luciferase Enzyme for Measurement of Gene Expression", <i>500 Biotechniques: Vol 28(3)</i> , (2000), 590-601	
		LESSER, M. P., et al., <i>GenBank Accession Number AF401282</i> , (Aug 5, 2001), 2 pgs.	
		LESSER, M. P., et al., <i>GenBank Accession Number AF406766</i> , (Sep 4 2001), 2 pgs.	
		LESSER, MP., et al., "Green Fluorescent Proteins in Caribbean scleractinian corals", AF401282 - Database Genbank, XP002992732, (August 2001), 2 pgs.	
		LESSER, MP., et al., "Green Fluorescent proteins in Caribbean scleractinian corals", AF406766 - Database Genbank, XP002992733, (September 2001), 2 pgs.	
		MATZ, M. V., et al., <i>GenBank Accession Number AY037768</i> , (May 31, 2002), 2 pgs.	
		MATZ, M. V., et al., <i>GenBank Accession Number AY037769</i> , (Apr 5, 2002), 2 pgs.	
		MATZ, MV., et al., "Diversity and evolution of GFP-like fluorescent proteins", AY037768 - Database genbank, (May 2002), 2 pgs.	
		MULLINS, JOHN J., et al., "Transgenesis in Nonmurine Species", <i>Hypertension</i> , 22, No. 4, (1993), 630-633	
		MULLINS, LINDA J., et al., "Transgenesis in the Rat and Larger Mammals", <i>Journal of Clinical Investigation</i> , 97(7), (April 1996), 1557-1560	
		SHIM, J., et al., "Canonical 3'-deoxyribonucleotides as a chain terminator for HCV NS5B RNA-dependent RNA polymerase", <i>Antiviral Research</i> , 58, (May 2003), 243-251	
		VOSS, S. D., et al., "The Role of Enhancers in the Regulation of Cell-Type-Specific Transcriptional Control", <i>Trends Biochem. Sci.</i> , 11, (1986), 287-289	

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		WELLS, K. D., et al., "Codon optimization, genetic insulation, and an rTta reporter improve performance of the tetracycline switch", <u>Transgenic Research</u> , 8, (1999),371-381	
		WIGLEY, PETER, et al., "Site-specific Transgene Insertion: an Approach", <u>Reprod. Fertil. Dev.</u> , (1994),585-588	
		YANG, F., et al., "The Molecular Structure of Green Fluorescent Protein", <u>Nature Biotech.</u> 14(10), (1996),1246-1251	
		ZHUANG, Y., et al., "Co-Reporter vector pHRG-B, complete sequence", Database EMBL. (Accession No. EMBL:AF362550),(May 15, 2001),3 pgs.	

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